IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 272 of 2007()

CMP.2796/2006 of J.M.F.C.-II, CHENGANNUR

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: PETITIONER/ACCUSED:

SMT. SUSEELA, W/O. SIVAN,
AGED 40 YEARS, PARAPPURATHU VEEDU,THURUTHIMEL MURI
CHERIYANANDU VILLAGE, CHENGANNUR TALUK.

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR, CHENGANNUR.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 272 OF 2007

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DATED THIS THE 18th DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner, a lady, who is the accused in Cr.No.213/06 of Chengannur Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of one litre of illicit arrack on 19.11.2006, seeks her enlargement on bail. She was arrested on 21.11.2006.

2. Even though the learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other crimes involving similar offences, the fact remains that no final report has been filed even after 58 days of detention and there is no reasonable prospect of the charge sheet being filed within two days. Accordingly, the petitioner is directed to be released on bail with effect from 20.1.2007 on her executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Chengannur and subject to the following conditions:

1. The petitioner shall make herself available for interrogation as and when required by the Investigating Officer.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall she attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to her shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn